

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 21, 2004 (Paper No. 9). Claims 1 to 3, 5 to 9 and 11 to 15 are pending in the application, with Claims 4 and 10 having been cancelled. Claims 1, 5, 7, 11 and 13 have been amended, and Claims 1, 7 and 13 are in independent form. Reconsideration and further examination are respectfully requested.

Applicants thank the Examiner for the indication that Claims 4, 5, 10 and 11 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claims. Applicants telephoned the Examiner since no § 112 rejections were entered in the Office Action. In response, the Examiner indicated that Claims 4, 5, 10 and 11 would be allowable if rewritten into independent form, including all of the limitations of the base claims.

In keeping with the indication of allowable subject matter in Claims 4 and 10, Applicants have amended the rejected independent Claims 1, 7 and 13 to include the functionality of Claims 4 and 10. Consequently, independent Claims 1, 7 and 13 as amended are seen to be in condition for allowance.

In making this amendment, the term "three-dimensional" has been omitted from the language of cancelled Claims 4 and 10, to the extent that they originally recited a "first three-dimensional coordinate value" and a "second three-dimensional coordinate value." Support for this omission can be found at page 35, lines 8 to 11 of the specification, which describes that although a three-dimensional coordinate value is detected, all three coordinates are not necessarily stored. This omission is not seen to affect the allowability of independent Claims 1, 7 and 13 as amended, since these claims still incorporate the remaining functionality of Claims 4 and 10.

The Office Action entered rejections of Claims 1 to 3, 6 to 9 and 12 to 15 under 35 U.S.C. § 102(b) over U.S. Patent No. 5,615,318 (Matsuura). The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied reference for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
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